

Second Regular Session 114th General Assembly (2006)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2005 Regular Session of the General Assembly.

## HOUSE ENROLLED ACT No. 1103

AN ACT to amend the Indiana Code concerning motor vehicles.

*Be it enacted by the General Assembly of the State of Indiana:*

SECTION 1. IC 9-13-2-42, AS AMENDED BY P.L.219-2005, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 42. (a) "Dealer" means, except as otherwise provided in this section, a person who sells to the general public, including a person who sells directly by the Internet or other computer network, at least twelve (12) vehicles each year for delivery in Indiana. A dealer must have an established place of business that meets the minimum standards prescribed by the bureau under rules adopted under IC 4-22-2.

(b) The term does not include the following:

- (1) A receiver, trustee, or other person appointed by or acting under the judgment or order of a court.
- (2) A public officer while performing official duties.
- (3) A person who is a dealer solely because of activities as a transfer dealer.
- (4) A person who sells off-road vehicles.

(c) "Dealer", for purposes of IC 9-31, means a person that sells to the general public for delivery in Indiana at least six (6):

- (1) boats; **or**
- (2) **trailers:**
  - (A) **designed and used exclusively for the transportation of watercraft; and**

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**(B) sold in general association with the sale of watercraft;**  
per year.

SECTION 2. IC 9-13-2-196, AS AMENDED BY P.L.210-2005, SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 196. (a) "Vehicle" means, except as otherwise provided in this section, a device in, upon, or by which a person or property is, or may be, transported or drawn upon a highway.

(b) "Vehicle", for purposes of IC 9-14 through IC 9-18, does not include the following:

- (1) A device moved by human power.
- (2) A vehicle that runs only on rails or tracks.
- (3) A vehicle propelled by electric power obtained from overhead trolley wires but not operated upon rails or tracks.
- (4) A firetruck and apparatus owned by a person or municipal division of the state and used for fire protection.
- (5) A municipally owned ambulance.
- (6) A police patrol wagon.
- (7) A vehicle not designed for or employed in general highway transportation of persons or property and occasionally operated or moved over the highway, including the following:
  - (A) Road construction or maintenance machinery.
  - (B) A movable device designed, used, or maintained to alert motorists of hazardous conditions on highways.
  - (C) Construction dust control machinery.
  - (D) Well boring apparatus.
  - (E) Ditch digging apparatus.
  - (F) An implement of agriculture designed to be operated primarily in a farm field or on farm premises.
  - (G) An invalid chair.
  - (H) A yard tractor.
- (8) An electric personal assistive mobility device.

(c) For purposes of IC 9-20 and IC 9-21, the term does not include devices moved by human power or used exclusively upon stationary rails or tracks.

(d) For purposes of IC 9-22, the term refers to an automobile, a motorcycle, a truck, a trailer, a semitrailer, a tractor, a bus, a school bus, a recreational vehicle, **a trailer or semitrailer used in the transportation of watercraft**, or a motorized bicycle.

(e) For purposes of IC 9-30-5, IC 9-30-6, IC 9-30-8, and IC 9-30-9, the term means a device for transportation by land or air. The term does not include an electric personal assistive mobility device.

SECTION 3. IC 9-24-12-1, AS AMENDED BY P.L.210-2005,

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SECTION 42, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 1. (a) Except as provided in subsection (b) and section 10 of this chapter, an operator's license issued under this article after December 31, 1996, and before January 1, 2006, expires at midnight of the birthday of the holder that occurs four (4) years following the date of issuance.

(b) Except as provided in ~~section~~ **sections 10 and 11** of this chapter, an operator's license issued after December 31, 1996, to an applicant who is at least seventy-five (75) years of age expires at midnight of the birthday of the holder that occurs three (3) years following the date of issuance.

(c) Except as provided in subsection (b) and ~~section~~ **sections 10 and 11** of this chapter, after December 31, 2005, an operator's license issued under this article expires at midnight of the birthday of the holder that occurs six (6) years following the date of issuance.

SECTION 4. IC 9-24-12-2, AS AMENDED BY P.L.210-2005, SECTION 43, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 2. (a) Except as provided in section 10 of this chapter, a chauffeur's license issued under this article after December 31, 1996, and before January 1, 2006, expires at midnight of the birthday of the holder that occurs four (4) years following the date of issuance.

(b) After December 31, 2005, and except as provided in ~~section~~ **sections 10 and 11** of this chapter, a chauffeur's license issued under this article expires at midnight of the birthday of the holder that occurs six (6) years following the date of issuance.

SECTION 5. IC 9-24-12-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 3. **Except as provided in section 11 of this chapter**, a public passenger chauffeur's license issued under this article after December 31, 1996, expires at midnight of the birthday of the holder that occurs two (2) years following the date of issuance.

SECTION 6. IC 9-24-12-7, AS AMENDED BY P.L.210-2005, SECTION 45, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 7. (a) Except as provided in subsection (b) and section 10 of this chapter, a motorcycle operator's license issued after December 31, 1996, and before January 1, 2006, expires at midnight of the birthday of the holder that occurs four (4) years following the date of issuance.

(b) Except as provided in ~~section~~ **sections 10 and 11** of this chapter, a motorcycle operator's license issued after December 31, 1996, to an applicant who is at least seventy-five (75) years of age expires at

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midnight of the birthday of the holder that occurs three (3) years following the date of issuance.

(c) After December 31, 2005, except as provided in subsection (b) **and section 11 of this chapter**, a motorcycle operator's license issued under this article expires at midnight of the birthday of the holder that occurs six (6) years following the date of issuance.

(d) A motorcycle operator endorsement remains in effect for the same term as the license being endorsed and is subject to renewal at and after the expiration of the license in accordance with this chapter.

(e) A temporary motorcycle learner's permit is valid for twelve (12) months from date of issuance.

SECTION 7. IC 9-24-12-10, AS ADDED BY P.L.210-2005, SECTION 46, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 10. **Except as provided in section 11 of this chapter**, after June 30, 2005:

- (1) an operator's;
- (2) a chauffeur's; or
- (3) a motorcycle operator's;

license issued to or renewed by a driver who is at least eighty-five (85) years of age expires at midnight of the birthday of the holder that occurs two (2) years following the date of issuance.

SECTION 8. IC 9-24-12-11 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 11. (a) **This section applies to a driver's license issued under:**

- (1) IC 9-24-3;
- (2) IC 9-24-4;
- (3) IC 9-24-5; or
- (4) IC 9-24-8.

(b) **If the birthday of a holder on which the holder's driver's license issued under a chapter referred to in subsection (a) would otherwise expire falls on:**

- (1) Sunday;
- (2) a legal holiday (as set forth in IC 1-1-9-1); or
- (3) a weekday when all license branches, full service providers, and partial services providers in the county of residence of the holder are closed;

**the driver's license of the holder does not expire until midnight of the first day after the birthday on which a license branch, full service provider, or partial services provider is open for business in the county of residence of the holder.**

SECTION 9. An emergency is declared for this act.

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Speaker of the House of Representatives

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President of the Senate

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President Pro Tempore

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Governor of the State of Indiana

Date: \_\_\_\_\_ Time: \_\_\_\_\_

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